



## Case Report

1	Case Number	0436/15
2	Advertiser	Tyco Australia Pty Ltd
3	Product	House Goods Services
4	Type of Advertisement / media	Radio
5	Date of Determination	11/11/2015
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.3 - Violence Domestic Violence

### DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features a man saying 'lights go on, light go off...' several times (obviously switching them on and off remotely using his phone), his telephone rings and when he answers it you hear a woman saying: 'seriously Matt, that light goes off again, so does yours'. He immediately responds by saying 'sorry'.

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*Promotes and trivialises domestic violence.*

*If the sexes were reversed, it would be more obvious.*

*In a time when we are trying to stop domestic violence this advertisement seems to think it is funny for a woman to threaten her male partner to put or punch his lights out. This is clearly a violent threat and it would not even have been considered if a Male was threatening to put his female partners lights out...it would have created outrage...this sort of anti Male violent advertisement MUST STOP!!!*

### THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*ARN – Complaint regarding advertisement for ADT Security (Tyco Australia Pty Ltd)*

*We refer to your letters concerning the investigation by the Advertising Standards Bureau (ASB) in relation to complaints received relating to a recent radio advertisement for ADT Security (the Advertisement).*

#### *The Advertisement*

*The Advertisement is an irreverent, cheeky promotion for ADT's security system, which is controllable remotely using a mobile phone. The Advertisement features a man saying 'lights go on, light go off...' several times (obviously switching them on and off remotely using his phone), his telephone rings and when he answers it you hear a woman saying: 'seriously Matt, that light goes off again, so does yours'. He immediately responds by saying 'sorry'.*

*Whilst we acknowledge this ad is cheeky and irreverent, we do not think that the Advertisement is in breach of the AANA Advertiser Code of Ethics or other applicable regulation. We note also that the product advertised is a home security product. It would not make sense from a commercial or practical perspective that the use of this product would be associated with violence.*

*It is important to set out from the outset that we do not condone or encourage domestic violence, or any kind of violence. ADT security as a company sells products that protect people's safety and provides security to its customers, which is of the utmost importance to us.*

*The second reference in the Advertisement to 'lights' going out is a pun and made in jest, which cannot be interpreted by any reasonable person as presenting or inciting violence against anyone.*

*We also note that the Advertisement was due to run for a limited period of time. That period has now ended and the Advertisement is not currently being played. Whilst we feel strongly that we are not in breach of the Codes, we have no current intention to play the Advertisement again.*

#### *AANA Advertiser Code of Ethics*

*The complainant raised concerns about 'reverse discrimination' and violence by a woman against a man.*

*Sections 2.2 - 2.6 of the Code provide that:*

*2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*2.5 Advertising or Marketing Communications shall only use language which is appropriate*

*in the circumstances and strong or obscene language shall be avoided.*

*2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.*

*Code 2.2 and 2.4*

*We do not feel that the Advertisement in any way treated the product or material advertised in a sexual or sexually exploitative way.*

*Code 2.3*

*We acknowledge that the woman's reference to "seriously Matt, that light goes off again, so do yours" could, without content, imply some sort of violence. However, in the context of the Advertisement, we do not think that a reasonable person could interpret it that way. It is a throwaway line that is commonly used to indicate frustration and does not incite or encourage violence towards anyone, male or female. To the extent that it could be seen as a reference to violence, we consider it justifiable in the context.*

*In this regard, while the woman who is back at the house is clearly irritated by the lights going on and off, her response is to make a joke out of it. She and the man are not at the same location, so there is clearly no immediate threat and the response by the man of 'sorry' is clearly not given out of fear of violence, but rather as an acknowledgement that he has been caught playing with the phone App and intends to stop. The expression is therefore merely an amusing way to express irritation, rather than a threat of domestic violence.*

*Code 2.5 and Code 2.6*

*We note that there were no explicit or obscene language used in the Advertisement.*

*The Advertisement is a cheeky, irreverent (not non-explicit) play on relationships and the eternal dilemma of one party constantly fidgeting with technology, to the frustration of the other party.*

*In this case, it is the man turning the lights on and off using his phone and his ADT security service.*

*In frustration the woman tells him to stop using the language set out above. Nothing in the tone, context or manner of the Advertisement indicates violence or encourages or incites anything violent.*

*In light of the context in which the Advertisement was broadcast, we believe that the majority of its audience would regard the Advertisement as light-hearted, comedic and irreverent.*

*For these reasons, we strongly believe that the Advertisement does not breach the Code.*

*We would welcome the opportunity to provide any further clarification that the ASB may require in relation to this matter.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement promotes and trivialises domestic violence.

The Board reviewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted the advertisement features a man saying ‘lights go on, light go off...’ several times (switching them on and off remotely using his phone). His phone rings and when he answers a woman says: “seriously Matt, those light go off again, so do yours”. He immediately responds by saying ‘sorry’. The voiceover describes how to utilise your smart phone to control your home. The web address for ADT home automation is provided.

The Board noted the suggestion by the woman that she will “turns his lights out” and agreed that most members of the community would understand this colloquial reference to mean “knock someone out.”

The Board noted that the advertisement is intended to highlight the product being offered which is the capacity to control things such as lighting remotely from your phone. The Board noted that the delivery of the advertisement is intended to be humorous and the disclaimer at the end of the advertisement is additional commentary supporting the humorous nature of the advertisement.

The disclaimer is spoken at an increased speed and states: “ADT are not responsible for any relationship breakdowns from the turning on and off of lights remotely.”

The Board noted that as a radio advertisement the listener is able to picture the scenario being heard and that it is clear that the man is switching lights on and off without consideration of the effect on the woman and it is likely that because of the remote access, the man is not in the same place (at home) at the time.

The Board considered that most members of the community would find the advertisement humorous and would recognise that it was not encouraging or condoning violence, but rather emphasising the familiar situation between couples when one person is behaving somewhat childish and the partner reprimands in an adult manner.

The Board noted that overall the tone of the advertisement is a playful one and the type of banter commonly heard between couples in safe and loving relationships. The Board agreed that the woman’s comment could be interpreted as being mildly violent but in the context of

the advertisement considered that her words are not overtly threatening and are not delivered aggressively.

The Board considered that the advertisement does not present or portray violence and does not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.